

# Protecting Your Workers & Growing Your Business

*Philadelphia Immigrant Business Week 2019*

## Workplace Compliance

### THE BASICS

- Minimum wage: \$7.25/hour
- Overtime wage: one and ½ times regular wage for all hours over 40/week
- Regular and timely paydays
- Keep payroll records
- Ensure safe and sanitary working conditions
- Provide sick leave based on size of business
- Obtain workers' compensation insurance policy
- Never retaliate against employees for asserting rights

### BEST PRACTICES

- Keep comprehensive and transparent payroll records
- Create opportunities for advancement and bonuses
- Pay employees a living wage of \$12/hour
- Provide paid time off
- Maintain a hazard-free workplace
- Implement a reporting system for injuries and potential hazards
- Offer additional paid sick leave
- Educate employees about their rights

For more information about employer best practices in the restaurant industry, see the Restaurant Opportunities Center High Road Manual at [ROCunited.org](http://ROCunited.org)

For more information about how to get involved with progressive businesses in Philadelphia, see Wage Change at [WageChange.com](http://WageChange.com) and the Philadelphia Sustainable Business Network at [SBNphiladelphia.org](http://SBNphiladelphia.org)

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## Immigration Enforcement

### THE BASICS

- ICE agents cannot enter the private areas of your business without a valid search warrant
- Private areas include the kitchen, stock room, and offices
- A search warrant signed by a judge is required for ICE to search private areas (ICE administrative warrants do *not* allow agents into private areas)
- A valid subpoena or search warrant is required to access or obtain business records (except for I-9 audit)
- No one is required to respond to questioning by ICE agents (right to remain silent)

### BEST PRACTICES

- Create a written response plan and post it where all employees can see it
- Practice the plan with your employees
- Establish a point person to interact with ICE agents
- Clearly mark private areas of your business
- Instruct all employees to wait in the private area during an ICE raid, not to flee, and not to speak to ICE
- Ask ICE agents for identification
- Do not allow ICE into private areas without a warrant
- Videotape encounter and record details about raid
- Notify families of any detained employees
- Contact an immigration attorney or immigrant rights organization for help post raid
- Offer leave or separation wages to affected employees

For more information about responses to immigration enforcement, see “What to do if Immigration Comes to Your Workplace” from the National Immigration Law Center at [NILC.org](http://NILC.org)

For more information about opportunities for immigrant businesses in Philadelphia, see the Mayor’s Office of Immigrant Affairs at [phila.gov/departments/office-of-immigrant-affairs/](http://phila.gov/departments/office-of-immigrant-affairs/)